

REMARKS

By this Amendment, claims 35 and 37 have been amended. No claims have been added or canceled. Accordingly, claims 24-32 and 34-59 remain pending.

Applicant notes that claim 35 has been amended for clarity and the scope of the claim has not changed.

The Examiner is respectfully requested to reconsider and allow the subject application in view of the amendments and remarks contained herein.

OBJECTIONS TO THE CLAIMS

Claim 37 was objected to because of certain informalities. Claim 37 has been amended to include "the" before "body". Note that the scope of claim 37 has not changed. In view of the amendment to claim 37, the Examiner is respectfully requested to reconsider and withdraw the objection to claim 37.

REJECTION UNDER 35 U.S.C. § 112

Claims 39-41 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicant regards as the invention. This rejection is respectfully traversed.

In rejecting claim 39, the Examiner asserts that the phrase "a female coupling on the first end of the body adjacent the finger" is unclear because the "first end of the body adjacent the finger" is purportedly the male end of the body, with the "finger" forming the male element.

Applicant respectfully directs the Examiner to Fig. 9C, which illustrates an example of a female coupling 164 adjacent a finger 194. As another example, paragraph 0067 of the subject application states that "the finger 194 extends from the end of the body portion 160 having the female coupling 164." For at least these reasons, Applicant respectfully submits that claim 39, and claims 40-41 which depend therefrom, are definite. Accordingly, the Examiner is respectfully requested to reconsider and withdraw the §112 rejection.

REJECTION UNDER 35 U.S.C. § 102

Claims 24-27, 29-30, 32, 34-37, 39, 41-46 and 48-59 stand rejected under 35 U.S.C. § 102(a/e) as being anticipated by Sheeran et al. (U.S. Pat. App. No. 10/427,450). This rejection is respectfully traversed.

First, Applicant notes that it is already familiar with the Sheeran reference as it is commonly owned with the instant application. While Sheeran discloses several useful and valuable improvements, it is different and distinct from the presently pending claims, as will now be explained.

As stated in Applicant's Amendment A, independent claims 24, 34, 44 and 59 recite, among other things, one or more end caps having a body portion configured for positioning on the yoke portion of a stator segment. The body portion includes first and second ends configured for coupling to ends of *adjacent end caps* to substantially hold the adjacent segments together. (Emphasis added).

Sheeran fails to disclose one or more end caps having a body portion including first and second ends configured for coupling to ends of adjacent end caps. Instead,

Sheeran discloses a stator assembly 10 including stator segments 20 sandwiched between two containment structures 30 and 40. The containment structures 30 and 40 each comprise a flexible plastic strip defining several pockets, with the stator segments 20 positioned within the pockets. See paragraphs 0020 and 0026. Further, a projection 700 and a receptive element 702 are provided on the ends of the containment structure 30. The purpose of the projection 700 and the receptive element 702 is to engage the opposite ends of the containment structure 30 to hold the containment structure 30 in an annular form. See Figs. 7A-B and paragraph 0053. The containment structure 40 also includes a projection 700 and a receptive element 702 for the same purpose as described above with respect to the containment structure 30.

The Patent Office contends that the containment structure 30 or 40, with the projection 700 and the receptive element 702 provided thereon, discloses an end cap having a body portion with first and second ends for coupling to ends of adjacent end caps. However, the projection 700 and the receptive element 702 are provided on the same containment structure, and simply couple together the opposite ends of that containment structure. Therefore, the containment structure 30 or 40 clearly does not couple to ends of adjacent containment structures. Accordingly, even if the containment structures 30 and 40 constitute end caps, Sheeran fails to anticipate independent claims 24, 34, 44 and 59 because the reference does not disclose one or more end caps having a body portion including first and second ends configured for coupling to ends of *adjacent end caps*.

Independent claim 35 recites an end cap for an electromagnetic machine having a stator. The stator has a plurality of adjacent segments, each segment having a segment

surface. The end cap has a body surface configured for positioning against the segment surface of one of the segments, and a portion of the body surface is positionable against the surface of *an adjacent segment*. (Emphasis added).

In rejection claim 35, the Patent Office contends that the containment structures 30 and 40 are end caps having a body surface and the projection 700 or the receptive element 702 is a portion of the body surface positioned against the surface of an adjacent segment. Sheeran, however, does not support this contention. As noted above, the projection 700 and the receptive element 702 simply connect the ends of each respective containment structure 30 or 40. Nowhere does Sheeran disclose that the projection 700 or the receptive element 702 is positioned against the surface of one of the stator segments 20, as suggested by the Patent Office. Accordingly, Sheeran fails to anticipate independent claim 35.

Independent claim 51 recites a method of assembling a stator having a plurality of segments. The method comprises, among other things, the step of substantially retaining end caps on the segments by engaging the end caps on *tooth portions* of the segments with an interference fit. (Emphasis added).

Sheeran fails to disclose retaining end caps on segments by engaging the end caps on tooth portions of the segments. Instead, Sheeran clearly discloses that the containment structures 30 and 40 define upper and lower projections 39a and 39b that are press-fit into channels 26 formed in yoke portions 21 of the stator segments 20. See paragraph 0033 and Figs. 1B-C. Thus, even if the containment structures 30 and 40 were end caps, they are retained in yoke portions 21, not on tooth portions, of the stator segments 20. Accordingly, Sheeran fails to anticipate independent claim 51.

For at least the reasons set forth above, the Examiner is respectfully requested to reconsider and withdraw the §102 rejection.

REJECTION UNDER 35 U.S.C. § 103

Claim 38 stands rejected under 35 U.S.C. § 103(a) as being obvious over Sheeran et al. (U.S. Pat. App. No. 10/427,450). This rejection is respectfully traversed.

Since claim 38 depends from claim 35, which Sheeran, as shown above, fails to anticipate, the Examiner is respectfully requested to reconsider and withdraw the §103 rejection.

ALLOWABLE SUBJECT MATTER


Applicant notes the Examiner's favorable indication that claims 28, 31 and 47 recite allowable subject matter. However, in view of the amendments and remarks provided above, Applicant respectfully submits that all pending claims are allowable, and that the subject application is now in condition for allowance.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (314) 726-7500.

Respectfully submitted,

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